

Applicants: Gary Brian Evans, et al.
Appl. No.: 10/524,995
Filing Date: September 27, 2005

REMARKS

Claims 1-9, 11-18, 20-21, 23-25, 27 and 29-31 were pending in the subject application. By this amendment, Claims 25 and 27 have been canceled, Claims 1, 23 and 29 have been amended, and new Claims 32-37 have been added. These amendments are being made without prejudice or disclaimer to applicants' right to pursue subject matter deleted in the current Amendment in a future continuation or divisional application. Applicants maintain that the amendments do not raise an issue of new matter. Support for new Claims 32 and 34 can be found at least in Claim 30. Support for new Claims 33 and 35 can be found at least in Claim 24. Support for new Claims 36 and 37 can be found at least in Claim 31. Support for the remaining claim amendments can be found at least in the previous version of the claims. Entry of the amendments is respectfully requested.

Allowable Subject Matter

The Examiner indicated that the subject matter of Claims 6, 12, 23 and 29-31 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 23 and 29 have herein above been amended and rewritten in independent form.

Rejections under 35 U.S.C. §112, Second Paragraph

Claims 1-5, 7-9, 11, 13-18, 20-22, 24-25 and 27 are rejected under 35 U.S.C. §112, second paragraph, for not specifying the possible substituents for the optionally substituted aryl group in the definition of variable Q in Claim 1. Claim 1 has herein above been amended so that the claim no longer recites that the aryl group is optionally substituted, thereby obviating this rejection.

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Rejections under 35 U.S.C. §112, First Paragraph

Claim 25 and dependent Claim 27 were rejected under 35 U.S.C. §112, first paragraph, as not enabled. Claims 25 and 27 have herein above been canceled, thereby rendering this rejection moot.


CONCLUSIONS

In view of the amendments and remarks made hereinabove, reconsideration and withdrawal of the rejections in the July 29, 2008 Office Action and passage of the pending claims to allowance are respectfully requested. If there is any minor matter preventing the allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

A check for \$286.00 is enclosed for the \$130.00 fee for a one month extension of time and the \$156.00 fee for 3 claims in excess of the 27 previously paid for (\$52.00 per excess claim). No other fee is deemed necessary in connection with the submission of this reply. However, if another fee is required with this reply or to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785.

Respectfully submitted,
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Dated: November 25, 2008
New York, New York

By 
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